

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BENJAMIN J. VALLES,

Petitioner,

v.

DONALD R. HOLBROOK,

Respondent.

C22-1250 TSZ

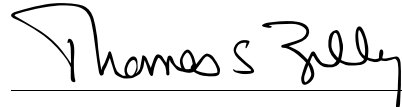
ORDER

THIS MATTER comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, Chief Magistrate Judge, docket no. 16. Having reviewed the R&R, to which no objections were filed, and the remaining record, the Court hereby finds and ORDERS:

- (1) The R&R, docket no. 16, is ADOPTED.
- (2) Petitioner’s federal habeas petition, docket no. 5, is DENIED.
- (3) A certificate of appealability is DENIED in this case. Permission to proceed *in forma pauperis* is GRANTED for the purpose of any appeal.

1 (4) The Clerk is directed to enter Judgment consistent with this Order, and  
2 send copies of the Judgment and this Order to petitioner, respondent's counsel, and Judge  
3 Creatura.

4 Dated this 13th day of February, 2023.

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7 Thomas S. Zilly  
8 United States District Judge  
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